

GS.I The general supervision instruments and procedures (including monitoring, complaint and hearing resolution, etc.), used by the SEA, identify and correct IDEA noncompliance in a timely manner.

1. Baseline/Trend Data and Analysis (for reporting period July 1, 2003 through June 30, 2004):

Missouri is currently in the fourth year (2004-05) of a five-year monitoring cycle during which all school districts in the state are reviewed. Special Education monitoring is completed in conjunction with the Missouri School Improvement Program (MSIP) district review and accreditation process. For a full description of the Special Education Monitoring system, see <http://www.dese.state.mo.us/divspeced/Compliance/MSIP/index.html>. In brief, districts attend training and complete a self-assessment the year prior to the MSIP review. The self-assessments are submitted to the Division, and monitoring staff use the self-assessment results combined with a desk review to determine which districts will receive an on-site monitoring. Some monitoring standards and indicators have been changed slightly during this cycle in response to findings from previous years, but the majority of the review has been consistent for this cycle. Performance standards are increasingly becoming more of a focus.

The table below shows that initial monitoring reviews find at least one area of noncompliance in more than 80% of districts, indicating that noncompliance is being identified. Many of the districts are found in compliance at the first follow-up. More detailed monitoring data are included under various clusters and probes throughout this report. Two main types of monitoring calls are made during a review.

- 1) Procedural compliance – when findings of non-compliance are made, districts are required to implement corrective action plans. Methods for ensuring correction of noncompliance are discussed in detail below.
- 2) Performance calls – Districts are evaluated in regard to performance data including, but not limited to, assessment, least restrictive environments, incidence rates, graduation and dropout rates. For each performance item indicated as “not met,” the agency must develop a plan to address the lack of progress. This plan must be documented through the agency’s annual special education program evaluation. An assurance statement also is provided to the agency stating that the agency will develop and implement a corrective action plan to address these performance goals. This assurance statement must be signed and returned to the Compliance Section within thirty calendar days from the date of the final report. Failure to meet a performance standard is not considered non-compliance, and follow-up reviews do not address the performance areas, however performance is evaluated on an on-going basis through the Special Education District Profiles.

District data for 3rd cycle of monitoring (2001-02 through 2005-06)

Year	Number of initial reviews	Number with areas of noncompliance	Percent non-compliant at initial review	Number cleared through follow-up	Number not cleared of non-compliance after follow-up
2001-02	102	87	85.3%	78	9
2002-03	100	94	94.0%	43	51
2003-04	107	106	99.1%	26	38 (42 not due)

Source: Missouri Division of Special Education - Compliance Monitoring System (CMS) as of 03/28/05

Not all districts with identified noncompliance have been cleared; however, results reported here are significantly improved since one year ago. In February 2005, DESE contracted with two former special education administrators to complete follow-up reviews with all districts that had remaining noncompliance. In addition to the contractors, Compliance staff were also focusing on completing follow-up reviews. Since January 2005, approximately 130 districts have been contacted, and 128 reports issued. Actions taken to correct remaining noncompliance include the following:

- For districts in Follow-up 3 or 4 status – a compliance supervisor has been assigned to work with each district individually. One-on-one technical assistance and/or training will be provided in order for these districts to be in full compliance by June 30, 2005. If districts are not in compliance after that point, sanction procedures will be implemented.
- For districts in Follow-up 2 status – these districts must submit their corrective action plan to the Compliance section by May 1, 2005. The plans will be approved or disapproved by Compliance staff. If disapproved, Compliance staff will design a corrective action plan for the district. Technical assistance and/or training will be provided in order for these districts to be in full compliance by November 1, 2005. If districts are not in compliance after that point, sanction procedures will be implemented.
- Districts that have received a final report resulting from an initial review during 2004-05 will receive a letter that clearly states that all noncompliance must be corrected within one year from the final report. These districts must also submit their corrective action plans for approval. These districts will be contacted six months and nine months after the date of the final report in order to assess progress in completing the corrective actions in order to ensure full correction of noncompliance within one year. If these districts are not in compliance within one year from the final report, sanction procedures will be implemented.

Additional information regarding timely correction of noncompliance is contained in the “Explanation of Progress and Slippage” section below.

Sanctions and Corrective Actions

The Missouri State Plan for Part B of the Individuals with Disabilities Education Act states that “the Missouri Department of Elementary and Secondary Education (DESE) may withhold, in part or whole, state and/or federal special and general education funds when a local education agency (LEA) is determined to be either unwilling or unable to provide FAPE. Such determination will be based on a LEA’s refusal or failure to comply with a corrective action or hearing decision as ordered by the DESE in:

- A. a monitoring report stemming from a monitoring for compliance with IDEA, Part B; or,
- B. a child complaint decision in which the LEA has been found out of compliance; or,
- C. a due process hearing decision of a state level hearing.”

The sanction of withholding payments will follow a failure to accomplish the corrective actions that are already required of the district as part of the DESE Division of Special Education complaint or monitoring review decision. Corrective actions may include, but are not limited to:

- Mandatory training for district personnel
- Mandatory use of state sample forms
- Mandatory evaluations or reevaluation to address outdated, incomplete or inaccurate evaluations
- Mandatory IEP meetings to address procedural violations or non-delivery of services on the IEP
- Mandatory district plans to outline the steps and documentation a district will institute to correct non-compliance issues
- Mandatory recovery of funds to address the misappropriation of either state or federal funds
- Mandatory educational records review to address systemic issues
- Mandatory posting/public dissemination of State monitoring reports
- Mandatory reporting by district staff on a regular basis to local governing board on progress toward correcting identified non-compliance

Missouri’s State Plan for Special Education currently only refers to the one sanction of withholding funds. Since DESE will be making revisions to the state plan in conjunction with the issuance of OSEP regulations for of IDEA 2004, a more comprehensive system of sanctions will be implemented with this revision.

Monitoring data for youth in city/county jails

	Total Districts/ Agencies Reviewed	Number out of compliance (initial)	Percent out of compliance (initial)
2003-04	32	20	62.5%

Compliance staff are currently processing the follow-up reviews for the twenty districts found to be out of compliance during 2003-04. If noncompliance has not been corrected at the time of the follow-up review, the same procedures as described for districts in follow-up 2 status will be implemented. The results of the follow-up reviews will be included in DESE's final report which is due to OSEP by June 27, 2005.

2. Targets (for reporting period July 1, 2003 through June 30, 2004):

- Focus monitoring and technical assistance on areas identified as problem areas in previous monitoring and child complaints.

3. Explanation of Progress or Slippage (for reporting period July 1, 2003 through June 30, 2004):

Alan Coulter from the National Center on Special Education Accountability Monitoring (funded by OSEP) is working with Missouri to establish a focused monitoring system for the next five-year cycle which begins with the 2006-07 school year. A pilot focused review process is being conducted with ten districts across the state in spring 2005. Focus areas are elementary achievement and secondary transition. This pilot will be evaluated at the end of 2004-05 and refined as necessary. The pilot will be continued in 2005-06 with full implementation expected in 2006-07 which is the beginning of the fourth cycle of MSIP.

Progress Report: Effective General Supervision – Timely Correction of Noncompliance

All but three (3) final monitoring reports for 2003-04 initial reviews were issued by September 1, 2004. The three not issued by this date were for charter schools that received on-site visits in late May 2004. Those reports were issued during the month of September.

All districts in follow-up status are being notified as described above. The results of these procedures will be that all noncompliance will have been corrected or sanction procedures implemented for all districts whose final report was issued more than one year ago.

Internal procedures have been developed to manage the review of corrective action documentation submitted as required. The Compliance Section Data Specialist has established a "tickler" system in the Compliance Management System (CMS) for six (6) and nine (9) months post initial review, if the district has a Corrective Action Plan (CAP). Monthly reports are given to the compliance supervisor responsible for the district so that they may follow-up with districts on their CAP submissions.

Final monitoring reports in the 2004-2005 school year have not included specific corrective actions for each area of systemic noncompliance identified. This will be done beginning with the 2005-2006 school year. Districts will be required to submit a Corrective Action Plan to the Division of Special Education specifying how they will correct their non-compliance and the timeline for achieving such. Districts that have received a final report resulting from an initial review during 2004-05 will receive an additional letter that clearly states that all noncompliance must be corrected within one year from the final report. This statement will be included in final report letters sent after April 1, 2005.

Progress Report: Effective General Supervision – Correction of Noncompliance between 80% and 100%

Districts monitored during the 2004-2005 school year were provided with individual printout results of the file review for each student record reviewed. Where individual noncompliance was found, districts are required to correct the noncompliance. When follow-up reviews are conducted, some or all of these files will be reviewed.

Progress Report: General Supervision for Incarcerated Youth with Disabilities

The special education child count collection was not revised to collect data regarding youth with disabilities held in city/county jails. The revision was determined not to be required at this point since the current collection is based on a point in time and this population has high mobility. These data will be collected through the Special Education Monitoring Self-Assessment (SEMSA) process.

Follow-up reviews are currently being conducted for districts found out of compliance during 2003-04 initial reviews. Results will be reported in the June 2005 final report to OSEP. Districts with onsite reviews continue to be interviewed regarding provision of services to youth with disabilities in city and county jails. Any districts found out of compliance are required to develop a corrective action plan and to correct the noncompliance within one year.

Special Education 3rd Cycle Missouri School Improvement training conducted in October/November 2004 included a required narrative response as a part of the special education self-assessment. Documentation is due to the Division in April 2005 and will be reviewed during summer 2005. The Division of Special Education will use the information to make determinations for on-site reviews and compliance/non-compliance calls.

4. Projected Targets:

- Continue to focus on areas identified as problem areas in previous monitoring and child complaints
- The percent of districts found out of compliance on initial reviews decreases
- The percent of districts found out of compliance on child complaints decreases
- All identified non-compliance corrected within one year from date of final report

5 & 6. Future Activities to Achieve Projected Targets/Results and Projected Timelines and Resources:

See also BF.IV and BF.V

Cluster/ Probe	Improvement Strategies	Benchmarks/Activities	Timeline	Resources
GS.I BF.II BF.IV BT	Develop and implement system of incentives for Local Education Agencies (LEA) based on performance of students with disabilities	Create incentives such as: District rankings Waivers Distinction Lists	2005-2006	Section Responsibility: EP, Data, Comp
		Process developed for implementation of system	2005-2006	Funding Type: Part B
		Implementation of system with 4 th cycle MSIP	2006-2007	
GS.I BF.II BF.IV BT	Develop and implement a system for targeted technical assistance for district needing to improve elementary achievement and secondary transition outcome data	Develop system to identify districts	Completed	Section Responsibility: EP, Data
		RPDC consultants trained to provide targeted technical assistance	Completed	
		Performance data utilized to link district with best practices information	2005-2006	Funding Type: Part B
		Professional development activities aligned to performance goals	Completed	

Cluster/ Probe	Improvement Strategies	Benchmarks/Activities	Timeline	Resources
GS.I BF.II BF.IV BT	Collaborate with LEAs and Missouri School Improvement Plan (MSIP) on the incorporation of the use of performance data for students with disabilities	Collaborate with MSIP on ways LEAs can use performance data	2005-2006	<u>Section Responsibility:</u> EP, Data, Comp <u>Funding Type:</u> Part B
		Assistance provided to LEAs in developing a plan to use performance data	2005-2006	
		Check with LEAs to determine how data is being incorporated in their decision-making process	2005-2006	
		Incorporate use of information with special education monitoring for 4 th cycle MSIP	2006-2007	
GS.I BF.II BF.IV BT	Create program evaluation model for use in annual evaluation and improvement planning	Content developed	Completed	<u>Section Responsibility:</u> EP, Data <u>Funding Type:</u> Part B
		Initial training conducted	Completed	
		Districts/RPDC Consultants use in field	2004-2005	
		Revisions and additional training if necessary	2005-2006	
GS.I BF.II BF.IV BT	Implement focused monitoring system	Develop procedures for pilot	Completed	<u>Section Responsibility:</u> EP, Comp <u>Funding Type:</u> Part B
		Identify districts for pilot	Completed	
		Pilot reviews	2004-2005	
		Evaluation of pilot and revisions made as needed	2005-2006	
		Full implementation of focused monitoring process	2006-2007	
GS.I BF.II BF.IV BT	Collaborate with DESE divisions and urban educators to identify issues specific to larger geographical areas that may serve as a barrier to the educational success of students with disabilities	Teacher and Urban Education Plan adopted by the State Board of Education	2004-2005	<u>Section Responsibility:</u> EP <u>Funding Type:</u> Part B
		Collaborative implementation plan developed with Teacher Certification and Urban Education	2005-2006	
		Technical assistance and training plan developed with St. Louis City and Kansas City to address performance issues	2005-2006	
GS.I	Improve monitoring procedures such that all identified noncompliance is corrected within one year	Contact districts that have not corrected noncompliance within one year as described above	2004-2005	<u>Section Responsibility:</u> Comp <u>Funding Type:</u> Part B
		Alert districts that are within one year correction timelines that noncompliance must be corrected within one year or sanctions imposed	2004-2005	
		Implement procedures that will enable districts to correct noncompliance within one year	2004-2005	
		Initiate sanctions procedures if necessary	2005-2006	